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PLEASE TAKE NOTICE THAT upon the accompanying memorandum of law, defendants President Barack Obama and Secretary of Defense Leon Panetta, by their attorney, Preet Bharara, United States Attorney for the Southern District of New York, will move this Court for (i) an immediate interim stay of the Court's permanent injunction order of September 12, 2012, pending final resolution of this motion; and (ii) a stay of the Court's permanent injunction order of September 12, 2012, pending resolution of the government's appeal.

Dated: New York, New York

September 14, 2012

Respectfully submitted,

PREET BHARARA United States Attorney for the

Southern District of New York

By: /s/ Benjamin H. Torrance

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